

Application No. 10/825,313
Amendment dated March 6, 2006
Reply to Office Action of December 6, 2005

Docket No.: 3722-0190PUS1

REMARKS

Claims 1-3, 5-10 and 12-16 are now present in this application.

The specification and claims 1, 5, 6, 8, 12 and 16 have been amended, and claims 4 and 11 have been cancelled without prejudice or disclaimer. Reconsideration of the application, as amended, is respectfully requested.

Amendments to the Claims

With regard to the foregoing amendments, it is noted that each of the sense electrodes forms a sense result (sense capacitance) with the finger 1, the sense result (sense capacitance) is sensed by the chip-type fingerprint sensor, and the protection layer 26 is entirely immovable relative to the substrate structure 29, as shown in the drawings. Accordingly, it is respectfully submitted that no new matter is present in the foregoing amendments.

Rejection under 35 U.S.C. 102

Claims 1, 9 and 11 stand rejected under 35 USC 102(b) as being anticipated by Kano et al., U.S. Patent No. 5,587,343. This rejection is respectfully traversed.

Independent claim 1 of the present application has been amended to recite that "each of the sense electrodes forms a sense result with a finger, and the sense result is sensed by the chip-type sensor" and that "the protection layer is entirely immovable relative to the substrate structure", as recited in claims 4 and 11, respectively.

However, Kano does not teach that each of the sense electrodes (11, 12) forms a sense result with a finger and the sense result is sensed by the acceleration sensor.

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In addition, Kano teaches that the protection layer (4) is a movable member that can be moved relative to the substrate structure because Kano's sensor is an acceleration sensor. Kano does not teach that the protection layer is entirely immovable relative to the substrate structure.

In view of the foregoing amendments and remarks, it is respectfully submitted that chip-type sensor of independent claim 1 is neither taught nor suggested by the prior art utilized by the Examiner. Accordingly, reconsideration and withdrawal of the 35 USC 102(b) rejection are respectfully requested.

Rejection under 35 USC 103

Claims 2 and 3 stand rejected under 35 USC 103 as being unpatentable over Kano et al. in view of the Applicant's Admitted Prior Art. This rejection is respectfully traversed.

Claims 4-8 stand rejected under 35 USC 103 as being unpatentable over Kano et al. in view of U.S. Patent No. 6,686,227 to Zhou et al. This rejection is respectfully traversed.

Claim 10 stands rejected under 35 USC 103 as being unpatentable over Kano et al. This rejection is respectfully traversed.

Claims 12-16 stand rejected under 35 USC 103 as being unpatentable over Kano et al. in view of Thomas et al., U.S. Patent No. 6,603,192. This rejection is respectfully traversed.

First, it is noted that claims 2 and 3 are dependent upon independent claim 1, which is allowable for the reasons set forth above. Accordingly, claims 2, 3 and 10 should also be allowable over the prior art of record.

With regard to claims 4 and 5, the limitations of claim 4 have incorporated into independent claim 1, and claim 5 now depends from this independent claim.

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With regard to claims 6 and 7, it is respectfully submitted that the features of these claims are **not** disclosed in column 4, lines 13-23 of Kano or in column 4, lines 13-23 of Zhou.

With regard to claim 8, it is respectfully submitted that the features of this claim are **not** disclosed in column 13, lines 36-44 of Kano. It is also noted that the Examiner's assertion that "Kano et al. does not disclose a polymeric material or ceramic atomic layer applied onto the third layer to provide a hydrophobic and lipophobic surface". (see page 4, lines 5-6 of the Office Action) conflicts with the Examiner's assertion that "Kano et al. disclose ceramic atomic layer is an aluminum oxide layer". It is therefore respectfully requested that the Examiner clarify his position.

With regard to claims 12-16, it is noted that in the Examiner's reasons set forth in pages 5 and 6 of the Office Action, the feature of claim 16 is not described. In fact, no sacrificial electrode is described in Thomas, and therefore Thomas fails to overcome the deficiencies of the primary reference to Kano et al. It is also noted that these claims depend upon allowable independent claim 1, and should therefore also be allowable.

It is respectfully submitted that the prior art utilized by the Examiner fails to teach or suggest the chip-type sensor of independent claim 1 and its dependent claims. Accordingly, reconsideration and withdrawal of the 35 USC 103 rejections are respectfully requested.

Conclusion

Favorable reconsideration and an early Notice of Allowance are earnestly solicited.

In the event that any outstanding matters remain in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

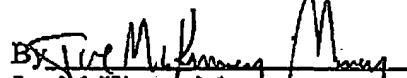
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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